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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/385,574 | 08/30/1999 | TAKAO OGAWA | 0186-13 | 9361 |

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EXAMINER

NGUYEN, KIMBERLY T

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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1774

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DATE MAILED: 03/20/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/385,574

Applicant(s)

OGAWA ET AL.

Examiner

Kimberly T. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 December 2001.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) 3 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2 and 4-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

This action is in response to the amendment submitted on December 13, 2001.

It is acknowledged that Applicants have canceled claim 3.

Claim Rejections - 35 USC § 112

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office Action.

Due to Applicants' remarks, the rejection based on 35 USC 112, 1st paragraph of claim 2 is withdrawn.

Due to Applicants' amendments and remarks, the rejections based on 35 USC 112, 1st paragraph of claims 1 and 2 are withdrawn.

Claim Rejections - 35 USC § 103

Claims 1-4 and 6-7 are rejected under 35 U.S.C 103(a) as being unpatentable over Matsubara, U.S. Pat. No. 5,202,715 in view of Takahashi et al., U.S. Pat. No. 6,001,465 for the reasons set forth in the previous Office Action, mailed on September 13, 2001.

Claims 1 and 2 are rejected under 35 U.S.C 103(a) as being unpatentable over Matsubara, U.S. Pat. No. 5,202,715 in view of JP 09274218 (JP '218) for the reasons set forth in the previous Office Action, mailed on September 13, 2001.

Claims 1 and 5 are rejected under 35 U.S.C 103(a) as being unpatentable over Matsubara, U.S. Pat. No. 5,202,715 in view of Takeshi et al., JP 101058417 for the reasons set forth in the previous Office Action, mailed on September 13, 2001.

Response to Arguments

Applicant's arguments filed December 13, 2001 have been fully considered but they are not persuasive.

On page 3, Applicants argue that the resin coating of the instant invention is not taught in any of the cited prior art references. Examiner disagrees. Matsubara shows *at least one* intermediate layer 7 (light shield resin coating) (column 3, line 44 to column 4, line 5 and claim 1) comprising a resin and carbon black.

On pages 3-4, Applicants argue that Matsubara never teaches or suggests the intermediate shield coating interposed between the substrate and the reinforcement member. Examiner disagrees. As shown in the previous Office Action and above, Matsubara shows in claim 1 and column 3, line 44 to column 4, line 5 “a light-shielding blade comprising a laminate of *at least three blade-layers*...including an intermediate blade-layer” may exist. Thus, Matsubara shows *at least three* intermediate blade-layers (2 intermediate shield coatings *and* 1 substrate) which is composed of a resin (column 3, lines 25-26 and lines 44-47) and carbon black (column 4, lines 1-5). Thus, the laminate structure of Matsubara which reads on Applicants’ invention is: lubricant coating/surface layer/intermediate layer/central intermediate layer (substrate)/intermediate layer/surface layer/lubricant coating which is the same as Applicants’ invention of: lubricant coating/reinforcement member/shield coating/substrate/shield coating/reinforcement member/lubricant coating.

On page 4, Applicants argue that Takahashi fails to teach the intermediate shield coating composed of a paint resin containing carbon black. As shown above, Matsubara already shows the intermediate shield coating of the instant invention. Takahashi is used *in combination with*

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Matsubara to show that the central intermediate layer (substrate) does not show the substrate of the instant invention as in instant claim 6 and that it would be obvious to make such a substrate because it is known to use such materials in substrates due to their lightness, rigidity, and durability.

On pages 4-5, Applicants argue that JP '417 and JP '218 do not cure the deficiencies of Matsubara or Takahashi, specifically, the missing feature of the intermediate shield coating. Examiner disagrees. JP '417 and JP '218 are used *in combination with* Matsubara—which already shows the intermediate shield coating composed of a resin and carbon black—to show that it is obvious to stretch the central intermediate layer bidirectionally as in instant claim 2 and to show that it is obvious to use the reinforcement fibers as shown in instant claim 5.

Conclusion

APPLICANT'S AMENDMENT necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly Nguyen whose telephone number is (703) 308-8176.

The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cynthia H. Kelly can be reached on (703) 308-0449. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9310 for before final communications and (703) 872-9311 for after final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

CYNTHIA H. KELLY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1700

A handwritten signature in black ink, appearing to read 'Cynth H Kelly', written in a cursive style.